

NEW HAVEN LEGAL ASSISTANCE ASSOCIATION, INC.

205 ORANGE ST.  
NEW HAVEN, CONNECTICUT 06510-2018  
TELEPHONE (203) 946-4811  
FAX (203) 498-9271

Testimony of Amy Eppler-Epstein  
In support of HB 6590

**An Act Concerning Certain Protections for Group and Family Child  
Care Homes**

Hearing before the Housing Committee  
February 7, 2023

I am writing to express my support for HB 6590, An Act Concerning Certain Protections for Group and Family Child Care Homes.

In my work as an attorney at New Haven Legal Assistance, I represented two tenants who were facing eviction by their landlords because they operated state licensed and approved family home day cares. The licensed home day care seemed to me to be a tremendous benefit to the landlord and other tenants in the area, who now had safe, secure, culturally appropriate, and conveniently located day care right nearby, with flexible hours. It benefitted the other tenants in the housing complex, especially since the day care provider offered flexible hours that accommodated the parents' early morning or late evening work shifts. It benefitted the day care provider, who now had stable income. And it benefitted the landlord, since the employment and income of the day care provider and the other working parent tenants made them all able to afford and pay their rent.

Most importantly, it benefitted the children: when licensed home day cares are supported, it ensures that the daycare meets the licensing standards, which provides standards and qualifications for the providers, and the premises. This includes things like limits on the numbers of children per each adult; inspections to ensure the safety of the premises; screening and qualifications of the day care providers; and other health and safety requirements. When licensed home day cares are not permitted by the landlord, day care providers go "underground"—providing "baby sitting" in their own homes with none of the standards or protections that licensed home day cares can provide.

All of these benefits have become even more important during the pandemic: small, local family child care homes have been a crucial benefit to front line workers, enabling them to provide safe care for their children so they can continue to work. The risks of widespread covid contagion are much smaller in a small, home day care setting, than in a large child care center.

Under current law, municipalities cannot prohibit licensed home day cares from operating in any zones in which single or multi-family homes are permitted. However, current statutes and case law allows landlords to prohibit their tenants from operating a licensed home day care; and to evict them for doing so. This bill ensures that landlords must allow their tenants to operate licensed home day cares, and cannot write leases that prohibit tenants from doing so, or otherwise restricts tenants' ability to operate a licensed day care in their home. It also protects landlords, by ensuring that they can require the day care providers to purchase liability insurance that lists the landlord as an ensured; and ensures that the landlord is not liable for any acts or omissions of the day care operator. Passage of this bill will align Connecticut with other states like New York and California, which have for many years protected licensed home day care providers from eviction or other restrictions, just for operating a home day care that has been licensed by the state.

The bill also expands zoning protections for group day cares, and prohibits towns and municipalities from using special exceptions or other requirements to zone out licensed family day care. Although my personal experience has been with day care providers who have faced barriers imposed by their landlords, I understand that these zoning protections are also needed to ensure family run home day cares can operate and thrive.

Having good, safe, affordable and available day care is crucial to our society and community; and there is a huge demand for daycare in our state, with insufficient supply. Without a safe place for their young children during the day, parents cannot work. Good, licensed day care is an investment in the next generation, socializing and preparing children so that they will thrive when they start school. The protections provided in this bill will further the development of group and family child care homes.

I urge you to pass this law so that landlords will no longer be permitted to prohibit their tenants from operating licensed family day cares in their homes, and will no longer be able to evict tenants for doing so. Please support this law, for the benefit of our day care providers, working parents, and their children.

#### Support of S.B. 942 and S.B. 943

I also urge your support of S.B. 942, which limits rental application fees to the actual cost of the screening, and requires a copy to be provided to the tenant. Currently one client of mine, who lives with her two adult daughters, has been looking for other housing, and literally has paid hundreds of dollars of application fees for her so far unsuccessful housing search. Typically each apartment she applies for requires each adult to undergo a background check, and charges at least \$25 per person; making each application cost \$75. Simply searching for and applying for other housing has become unaffordable. This bill would help

limit those costs. Similarly, S.B. 943 would help tenants who are seeking to move, by shortening the time frame for the return of their security deposit after they vacate, from 30 to 10 days, making it more possible for them to utilize those funds for a deposit for a new apartment.